

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re: CUSHNIE, CARLY § Case No. 1-21-41279-ESS

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Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

ROBERT J. MUSSO, chapter 7 trustee, submits this Final Account,
Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$436,384.00</u>	Assets Exempt: <u>\$609,150.00</u>
<i>(without deducting any secured claims)</i>	

Total Distribution to Claimants: <u>\$25,213.68</u>	Claims Discharged Without Payment: <u>\$1,869,130.55</u>
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Total Expenses of Administration: \$11,786.32

3) Total gross receipts of \$ 37,000.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$37,000.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$1,198,594.59	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS:				
CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	0.00	11,786.32	11,786.32	11,786.32
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	0.00	0.00	0.00	0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	326,182.51	1,568,161.72	1,568,161.72	25,213.68
TOTAL DISBURSEMENTS	\$1,524,777.10	\$1,579,948.04	\$1,579,948.04	\$37,000.00

4) This case was originally filed under Chapter 7 on May 12, 2021.

The case was pending for 21 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 02/09/2023 By: /s/ROBERT J. MUSSO
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 —GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
294 Herkimer Street, Brooklyn, NY 11216-0000, Ki	1110-000	25,000.00
Jewelry	1129-000	5,000.00
Nutraceutical post - social media post Debtor wi	1129-000	6,000.00
Mother Denim Social Media	1229-000	1,000.00
TOTAL GROSS RECEIPTS		\$37,000.00

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 —FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		
TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES			\$0.00

EXHIBIT 3 —SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NOTFILED	JPMCB Home	4110-000	1,198,594.59	N/A	N/A	0.00
TOTAL SECURED CLAIMS			\$1,198,594.59	\$0.00	\$0.00	\$0.00

EXHIBIT 4 —CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Trustee Compensation - ROBERT J. MUSSO	2100-000	N/A	4,450.00	4,450.00	4,450.00
Trustee Expenses - ROBERT J. MUSSO	2200-000	N/A	50.00	50.00	50.00

Attorney for Trustee Fees (Trustee Firm) -	3110-000	N/A	7,000.00	7,000.00	7,000.00
Rosenberg Musso & Weiner, LLP					
Other - People's United Bank	2600-000	N/A	5.00	5.00	5.00
Other - People's United Bank	2600-000	N/A	11.95	11.95	11.95
Other - Metropolitan Commercial Bank	2600-000	N/A	11.19	11.19	11.19
Other - Metropolitan Commercial Bank	2600-000	N/A	10.79	10.79	10.79
Other - Metropolitan Commercial Bank	2600-000	N/A	11.89	11.89	11.89
Other - Metropolitan Commercial Bank	2600-000	N/A	11.50	11.50	11.50
Other - Metropolitan Commercial Bank	2600-000	N/A	11.01	11.01	11.01
Other - Metropolitan Commercial Bank	2600-000	N/A	17.84	17.84	17.84
Other - Metropolitan Commercial Bank	2600-000	N/A	21.26	21.26	21.26
Other - Metropolitan Commercial Bank	2600-000	N/A	27.23	27.23	27.23
Other - Metropolitan Commercial Bank	2600-000	N/A	34.93	34.93	34.93
Other - Metropolitan Commercial Bank	2600-000	N/A	54.77	54.77	54.77
Other - Metropolitan Commercial Bank	2600-000	N/A	56.96	56.96	56.96
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		N/A	\$11,786.32	\$11,786.32	\$11,786.32

EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	None				
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		N/A	\$0.00	\$0.00	\$0.00

EXHIBIT 6 –PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
		None				
TOTAL PRIORITY UNSECURED CLAIMS			\$0.00	\$0.00	\$0.00	\$0.00

EXHIBIT 7 —GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	American Express National Bank	7100-000	N/A	28,693.95	28,693.95	463.21
2	JPMorgan Chase Bank, N.A.	7100-000	N/A	10,799.51	10,799.51	174.33
3	Michelle Ochs	7100-000	N/A	387,252.57	387,252.57	0.00
4	Hilldun Corporation	7100-000	N/A	1,135,164.33	1,135,164.33	18,324.78
NOTFILED	Chase Freedom	7100-000	53.88	N/A	N/A	0.00
NOTFILED	American Express	7100-000	14,128.63	N/A	N/A	0.00
NOTFILED	Jpmcb Card	7100-000	26.00	N/A	N/A	0.00
NOTFILED	Jpmcb Card	7100-000	3,974.00	N/A	N/A	0.00
NOTFILED	251 West 39th Street	7100-000	308,000.00	N/A	N/A	0.00
	Clerk of the Bankruptcy Court	7100-000	N/A	6,251.36	6,251.36	6,251.36
TOTAL GENERAL UNSECURED CLAIMS			\$326,182.51	\$1,568,161.72	\$1,568,161.72	\$25,213.68

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 1-21-41279-ESS

Case Name: CUSHNIE, CARLY

Period Ending: 02/09/23

Trustee: (520810) ROBERT J. MUSSO

Filed (f) or Converted (c): 05/12/21 (f)

§341(a) Meeting Date: 06/14/21

Claims Bar Date: 09/13/21

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 <u>Property Abandoned</u> OA=§554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	294 Herkimer Street, Brooklyn, NY 11216-0000, Ki See asset #20	1,405,000.00	25,000.00		25,000.00	FA
2	Household Goods Imported from original petition Doc# 1	8,000.00	0.00		0.00	FA
3	Electronics Imported from original petition Doc# 1	2,000.00	0.00		0.00	FA
4	Misc. Art objects Imported from original petition Doc# 1	2,500.00	0.00		0.00	FA
5	Clothing (approximate) Imported from original petition Doc# 1	8,000.00	0.00		0.00	FA
6	Jewelry Imported from original petition Doc# 1	10,000.00	5,000.00		5,000.00	FA
7	Cash Imported from original petition Doc# 1	100.00	0.00		0.00	FA
8	Checking: Chase Imported from original petition Doc# 1	150.00	0.00		0.00	FA
9	Checking: Chase Imported from original petition Doc# 1	1,434.00	0.00		0.00	FA
10	Savings: Chase Imported from original petition Doc# 1	200.00	0.00		0.00	FA
11	Nonpublic stock and businesses: Cushnie, LLC- Ow Imported from original petition Doc# 1	0.00	0.00		0.00	FA
12	Cushnie Holding, 7% ownership Imported from original petition Doc# 1	Unknown	0.00		0.00	FA
13	IRA Imported from original petition Doc# 1	39,000.00	0.00		0.00	FA
14	Int. in Ins. policies: Term Life Insurance Imported from original petition Doc# 1	Unknown	0.00		0.00	FA
15	Unpaid Salary From Cushnie, LLC Imported from original petition Doc# 1	375,000.00	0.00		0.00	FA
16	Collaboration agreement with Summersalt Imported from original petition Doc# 1	Unknown	0.00		0.00	FA

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 1-21-41279-ESS

Case Name: CUSHNIE, CARLY

Period Ending: 02/09/23

Trustee: (520810) ROBERT J. MUSSO

Filed (f) or Converted (c): 05/12/21 (f)

§341(a) Meeting Date: 06/14/21

Claims Bar Date: 09/13/21

1 Ref. #	2 Asset Description (Scheduled And Unscheduled (u) Property)	3 Petition/ Unscheduled Values	4 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	5 Property <u>Abandoned</u> OA=§554(a)	6 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
17	Collaboration agreement with Kassatex has not yet imported from original petition Doc# 1	0.00	0.00		0.00	FA
18	Nutraceutical post - social media post Debtor will import from original petition Doc# 1	0.00	6,000.00		6,000.00	FA
19	Mother Denim Social Media (u)	Unknown	1,000.00		1,000.00	FA
20	NULL - ENTERED IN ERROR	Unknown	0.00		0.00	FA
20	Assets Totals (Excluding unknown values)	\$1,851,384.00	\$37,000.00		\$37,000.00	\$0.00

Major Activities Affecting Case Closing:

Rosenberg Musso Weiner retained as general counsel in 2004 to be scheduled

Trustee and his counsel discussed a 363(h) adversary for sale of 394 Herkimer Street, Brooklyn, New York. Decision it would not be successful - non-debtor spouse and 2 young children.

Trustee's 9019 motion to approve a \$30,000.00 settlement was granted.

Initial Projected Date Of Final Report (TFR): December 31, 2021

Current Projected Date Of Final Report (TFR): August 8, 2022 (Actual)

Form 2

Cash Receipts And Disbursements Record

Page: 1

Case Number: 1-21-41279-ESS

Trustee: ROBERT J. MUSSO (520810)

Case Name: CUSHNIE, CARLY

Bank Name: People's United Bank

Taxpayer ID #: **-**4082

Account: *****4426 - Checking Account

Period Ending: 02/09/23

Blanket Bond: \$33,619,472.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
07/29/21	{19}	Gregory Messer PLLC	Mother Denim Social Media Post	1229-000	1,000.00		1,000.00
07/29/21	{18}	Gregory Messer PLLC	Social Media Post	1129-000	6,000.00		7,000.00
07/30/21		People's United Bank	Bank and Technology Services Fee	2600-000		5.00	6,995.00
08/31/21		People's United Bank	Bank and Technology Services Fee	2600-000		11.95	6,983.05
09/22/21		TRANSFER TO DEPOSIT SYSTEM ACCOUNT *****2198	TRANSFER TO DEPOSIT SYSTEM ACCOUNT *****2198	9999-000		6,983.05	0.00
ACCOUNT TOTALS					7,000.00	7,000.00	\$0.00
Less: Bank Transfers					0.00	6,983.05	
Subtotal					7,000.00	16.95	
Less: Payments to Debtors						0.00	
NET Receipts / Disbursements					\$7,000.00	\$16.95	

Form 2

Cash Receipts And Disbursements Record

Page: 2

Case Number: 1-21-41279-ESS

Trustee: ROBERT J. MUSSO (520810)

Case Name: CUSHNIE, CARLY

Bank Name: Metropolitan Commercial Bank

Taxpayer ID #: **-**4082

Account: *****4441 - Checking Account

Period Ending: 02/09/23

Blanket Bond: \$33,619,472.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
09/22/21		Transition Transfer Credit	Transition Transfer Credit	9999-000	6,983.05		6,983.05
09/30/21		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		11.19	6,971.86
10/29/21		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		10.79	6,961.07
11/30/21		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		11.89	6,949.18
12/31/21		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		11.50	6,937.68
01/28/22	{1}	Carly Cushnie	\$5,000.00 payment of \$25,000.00	1110-000	5,000.00		11,937.68
01/31/22		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		11.01	11,926.67
02/28/22		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		17.84	11,908.83
03/30/22	{1}	Carly Cushnie	\$5,000.00 payment of \$25,000.00	1110-000	5,000.00		16,908.83
03/31/22		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		21.26	16,887.57
04/25/22	{1}	Carly Cushnie	\$5,000.00 payment of \$25,000.00	1110-000	5,000.00		21,887.57
04/29/22		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		27.23	21,860.34
05/24/22	{6}	Carly Cushnie	Selltment payment for Jewelry	1129-000	5,000.00		26,860.34
05/31/22		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		34.93	26,825.41
06/16/22	{1}	Carly Cushnie	\$10,000.00 payment of \$25,000.00	1110-000	10,000.00		36,825.41
06/30/22		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		54.77	36,770.64
07/29/22		Metropolitan Commercial Bank	Bank and Technology Services Fee	2600-000		56.96	36,713.68
10/12/22	10101	ROBERT J. MUSSO	Dividend paid 100.00% on \$50.00, Trustee Expenses; Reference:	2200-000		50.00	36,663.68
10/12/22	10102	ROBERT J. MUSSO	Dividend paid 100.00% on \$4,450.00, Trustee Compensation; Reference:	2100-000		4,450.00	32,213.68
10/12/22	10103	Rosenberg Musso & Weiner, LLP	Dividend paid 100.00% on \$7,000.00, Attorney for Trustee Fees (Trustee Firm); Reference:	3110-000		7,000.00	25,213.68
10/12/22	10104	American Express National Bank	Dividend paid 1.61% on \$28,693.95; Claim# 1; Filed: \$28,693.95; Reference:	7100-000		463.21	24,750.47
10/12/22	10105	JPMorgan Chase Bank, N.A.	Dividend paid 1.61% on \$10,799.51; Claim# 2; Filed: \$10,799.51; Reference:	7100-000		174.33	24,576.14
10/12/22	10106	Michelle Ochs	Dividend paid 1.61% on \$387,252.57; Claim# 3; Filed: \$387,252.57; Reference: Stopped on 01/11/23	7100-000		6,251.36	18,324.78
10/12/22	10107	Hilldun Corporation	Dividend paid 1.61% on \$1,135,164.33; Claim# 4; Filed: \$1,135,164.33; Reference:	7100-000		18,324.78	0.00
01/11/23	10106	Michelle Ochs	Dividend paid 1.61% on \$387,252.57; Claim# 3; Filed: \$387,252.57; Reference: Stopped: check issued on 10/12/22	7100-000		-6,251.36	6,251.36
01/11/23	10108	Clerk of the Bankruptcy Court	Unclaimed Funds	7100-000		6,251.36	0.00

Subtotals : \$36,983.05 \$36,983.05

Form 2

Cash Receipts And Disbursements Record

Case Number: 1-21-41279-ESS

Case Name: CUSHNIE, CARLY

Taxpayer ID #: **-***4082

Period Ending: 02/09/23

Trustee: ROBERT J. MUSSO (520810)

Bank Name: Metropolitan Commercial Bank

Account: *****4441 - Checking Account

Blanket Bond: \$33,619,472.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
			ACCOUNT TOTALS		36,983.05	36,983.05	\$0.00
			Less: Bank Transfers		6,983.05	0.00	
			Subtotal		30,000.00	36,983.05	
			Less: Payments to Debtors			0.00	
			NET Receipts / Disbursements		\$30,000.00	\$36,983.05	
			TOTAL - ALL ACCOUNTS		Net Receipts	Net Disbursements	Account Balances
			Checking # *****4426		7,000.00	16.95	0.00
			Checking # *****4441		30,000.00	36,983.05	0.00
					\$37,000.00	\$37,000.00	\$0.00